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7 *Attorneys for Plaintiff*

8
9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 SOUTHERN DIVISION
12

13 SIGMA ENTERPRISES, LLC, a limited
liability company,

14 Plaintiff,

15 v.

16 ALLURING DEALS LLC d/b/a K.T.B.
17 COSMETICS, a limited liability
company, and HUGO SANCHEZ, an
18 individual; and DOES 1 through 20,
inclusive,

19 Defendants.
20

Case No.

VERIFIED COMPLAINT

21
22 Plaintiff Sigma Enterprises, LLC (“Sigma”), for its complaint against
23 Alluring Deals LLC d/b/a K.T.B. Cosmetics (together “K.T.B.”) and Hugo
24 Sanchez, states and alleges as follows:

25 1. This is an action to recover money damages and to enjoin K.T.B.’s
26 continued infringement of Sigma’s intellectual property rights, including
27 infringement of Sigma’s United States Patent No. D718,060 (the “’060 patent”)
28 (Ex. B); infringement of Sigma’s registered and unregistered marks (Ex. C); and

COMPLAINT

1 infringement of Sigma's copyright in the content and "look and feel" of Sigma's
2 website, Registration Number TXu002031675 (Ex. D). Excerpts of K.T.B.'s
3 website compared to Sigma's website are attached as Exhibit A.

4 2. Sigma also asserts federal and state claims based on K.T.B.'s wrongful
5 business practices.

6 **PARTIES**

7 3. Plaintiff Sigma is a Minnesota limited liability company, with its
8 principal place of business at 1395 Commerce Drive, Mendota Heights, Minnesota
9 55120.

10 4. Sigma is the owner by assignment of the '060 patent and owns all
11 existing causes of action.

12 5. K.T.B. Cosmetics offers beauty supplies through its website
13 ktbcosmetics.com.

14 6. According to its website, K.T.B. Cosmetics is located in Orange
15 County, California. The "Contact Us" portion of the K.T.B. Cosmetics website
16 states that K.T.B. can be found at an unidentified address in "Anaheim CA 92805
17 USA." See <https://K.T.B.cosmetics.com/contact-us/>. Other industry and sales
18 websites provide different addresses for K.T.B. Cosmetics within this district,
19 including 318 W. Cerritos Avenue, Anaheim, CA, and 1598 S. Anaheim Blvd.,
20 Unit B, Anaheim, CA.

21 7. According to records from Los Angeles County, "K.T.B. Cosmetics"
22 is a "fictitious business" and is the "doing business as" name for Alluring Deals
23 LLC. Attached as Exhibit F is a true and correct copy of the Los Angeles County
24 business record.

25 8. Alluring Deals LLC is a California corporation, with a registered
26 address in East Los Angeles, California. Attached as Exhibit G are true and correct
27 copies of records from the California Secretary of State.

28 9. Upon information and belief, Defendant Hugo Sanchez is a principal

1 or manager of K.T.B. and directs its activities. Mr. Sanchez holds the trademark
2 registration for K.T.B. Ex. E.

3 10. Sigma employees have met Mr. Sanchez at industry trade shows,
4 where he represented K.T.B. and offered for sale infringing products.

5 11. Upon information and belief, Mr. Sanchez resides in Orange County,
6 California. Ex. E and is a citizen of Mexico. See Ex. E.

7 12. The true names and capacities, whether individual, corporate, associate
8 or otherwise of Defendants herein named as DOES 1 through 20, inclusive, are
9 unknown to Plaintiff, who therefore sues said Defendants by such fictitious names.
10 Plaintiff will seek leave of this court to amend its Complaint to state the true names
11 and capacities of such fictitiously named Defendants when the same have been
12 ascertained.

13 13. Plaintiff is informed and believes, and based upon such information
14 and belief alleges, that at all times herein each of the Defendants was and now is the
15 agent, servant, employee, representative and alter ego of each of the remaining
16 Defendants, and in doing the things alleged herein, was acting within the scope of
17 his or its authority as such agent, servant, employee, representative and alter ego
18 with the knowledge, permission, consent and ratification of the remaining
19 Defendants.

20 **JURISDICTION AND VENUE**

21 14. This action arises under the Lanham Act, 15 U.S.C. § 1051 *et seq.*, the
22 Copyright Act, 17 U.S.C. § 101 *et seq.*, the Patent Act, 35 U.S.C. § 1 *et seq.*, and
23 state law.

24 15. This Court has jurisdiction over the subject matter of this action under
25 15 U.S.C. § 1121, 17 U.S.C. § 501, 28 U.S.C. §§ 1331 and 1338(a). The Court has
26 supplemental jurisdiction of the state law claims asserted herein pursuant to 28
27 U.S.C. § 1367(a).
28

1 ferrule design, and their unique and distinctive product names. Going further,
 2 K.T.B. has even copied Sigma's marketing materials, including Sigma's copyright-
 3 protected product descriptions and Sigma's registered and unregistered trademarks.
 4 This blatant copying violates numerous federal and state laws.

5 22. The harm of this blatant copying appearing on K.T.B.'s website –
 6 including copying of Sigma's patented design, trademarks, copyright-protected
 7 website descriptions, and product numbers and names – is particularly acute
 8 because Sigma relies heavily on social media for its marketing and sells a
 9 substantial number of its products via the Sigma website.

10 **SIGMA'S PROTECTED WEBSITE**

11 23. Since its founding in 2009, Sigma has operated an online beauty store
 12 through its website, www.sigmabeauty.com.

13 24. The content of that website (other than customer reviews or links to
 14 external sources) is original content created by Sigma through its employees.
 15 Specifically, the product descriptions that accompany photographs of Sigma's
 16 beauty products are original content created by Sigma employees.

17 25. Sigma has obtained copyright protection for its website, including the
 18 product descriptions, Registration Number TXu002031675. A true and correct
 19 copy of the Certificate of Registration is attached as Exhibit D.

20 **SIGMA'S DISTINCTIVE TRADEMARKS**

21 26. Sigma is the registered owner of numerous U.S. Trademark
 22 Registrations for the distinctive terms it uses to describe its cosmetic products and
 23 makeup brushes, including the mark SIGMATECH, U.S. Trademark Registration
 24 No. 4818517. True and correct copies of the certificate of registration for
 25 trademark SIGMATECH is attached hereto as Exhibit C.

26 27. Sigma also owns the following unregistered trademarks:
 27 SIGMAALLOY, F84 ANGLED KABUKI, F80 FLAT KABUKI, F82 ROUND
 28 KABUKI, F88 FLAT ANGLED KABUKI, P80 FLAT PRECISION, P80

1 PRECISION FLAT, F57 EMPHASIZE CONTOUR, F23 SOFT ANGLED
2 CONTOUR, E06 WINGED LINER, F04 EXTREME STRUCTURE CONTOUR,
3 and F03 HIGH CHEEKBONE HIGHLIGHTER, among others. These terms are
4 either inherently distinctive or have acquired distinctiveness due to Sigma's
5 extensive commercial use and promotion of products bearing these trademarks.

6 28. SIGMAALLOY is an arbitrary mark because, although the word
7 "alloy" exists in the English language, it does not suggest or describe a significant
8 ingredient, quality, or characteristic of cosmetic brushes.

9 29. Moreover, the letter, number, and word combinations are suggestive
10 marks because they require imagination to reach the conclusion that the nature of
11 the goods is cosmetic brushes. The letters refer to an area of the face the brush is
12 intended for (i.e., F is face, E is eyes) or use of the brush (i.e., P is for precision)
13 and the numbering is arbitrary.

14 30. Sigma has assigned unique letter-number designations for each of its
15 makeup brushes. The letter corresponds to the brush type, and the brushes are
16 numbered according to the order in which Sigma released the brushes. For
17 example, the F80 cosmetic brush is used on the face, and was released by Sigma
18 before the F82 cosmetic brush.

19 31. The numbers have no independent or descriptive meaning, and are
20 unique to Sigma.

21 32. The combination of letters, numbers and brush name are unique and
22 distinctive to Sigma.

23 33. The total image and overall appearance of these brushes—including
24 non-functional design details, such as the shape and color of the brushes—identifies
25 the source of Sigma's brushes and distinguishes Sigma's products from others.

26 **K.T.B.'S WRONGFUL AND INFRINGING CONDUCT**

27 34. Defendants have improperly used and continue to use in commerce
28 Sigma's unregistered and federally registered trademarks described above in

K.T.B.'s website content. *See* Ex. A.

35. Defendants have improperly used and continue to use in commerce Sigma's copyright-protected product descriptions to sell K.T.B. cosmetic brushes

36. For example, K.T.B. wrongfully copied Sigma's exact copyright-protected product description for the E36 Blending Brush (Ex. A at 25):

Sigma website description	K.T.B. website description
<p>E36 - BLENDING BRUSH</p> <p>....</p> <p>The E36 Blending Brush features a soft, thin and rounded brush head. Best to blend color into the crease with precision keeping shadow in small concentrated areas while still giving a diffused effect.</p> <p>Unique Feature: Long, slightly firm bristles Function: Creates precise application to the crease Recommended Use: Blend powder products onto small areas of the eye</p>	<p>E36 - BLENDING BRUSH</p> <p>....</p> <p>The E36 Blending Brush features a soft, thin and rounded brush head. Best to blend color into the crease with precision keeping shadow in small concentrated areas while still giving a diffused effect.</p> <p>....</p> <p>Unique Feature: Long, slightly firm bristles Function: Creates precise application to the crease Recommended Use: Blend powder products onto small areas of the eye</p>

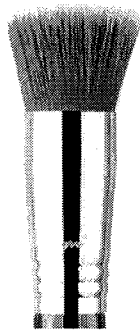
37. As another example, K.T.B. wrongfully copied Sigma's copyright-protected website content and registered trademark SIGMATECH and unregistered trademarks F23 SOFT ANGLED CONTOUR Brush used in the description of this product on the K.T.B. website (Ex. A at 5):

Sigma Website	K.T.B. Website
<p>F23 - SOFT ANGLED CONTOUR™ BRUSH</p> <p>....</p> <p>The F23 Soft Angled Contour™ Brush has a soft angled head made with SigmaTech® fibers. This is the must-have brush for powder bronzer and blush to achieve a gentle contour.</p> <p>Unique Feature: Soft angled brush head Function: Simplified bronzing Recommended Use: Create an everyday contour with powder products</p> <p>Benefits:</p> <ul style="list-style-type: none"> • Free two-year warranty on brushes! • Cruelty Free • Exclusive SigmaTech® Fibers 	<p>F23 - SOFT ANGLED CONTOUR BRUSH</p> <p>....</p> <p>The F23 Soft Angled Contour™ Brush has a soft angled head made with SigmaTech® fibers. This is the must-have brush for powder bronzer and blush to achieve a gentle contour.</p> <p>Unique Feature: Soft angled brush head Function: Simplified bronzing Recommended Use: Create an everyday contour with powder products</p> <ul style="list-style-type: none"> • Cruelty Free

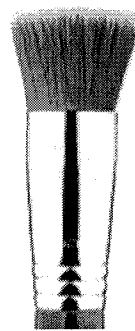
38. Defendants' commercial uses are without authorization, license, or permission.

39. Because Defendants are using Sigma's marks to sell competing cosmetic brushes and the consuming public recognizes Sigma's marks as an indication that the origin of cosmetic brushes was Sigma, Defendants' use of the marks is likely to cause confusion about the source of the cosmetic brushes.

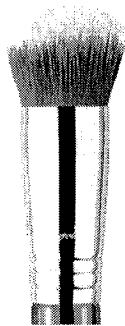
40. Defendants have blatantly copied Sigma's unique product designations, by offering for sale their own brushes – identical or nearly identical in color, shape, and use – with identical or nearly identical product names. Below are several examples:



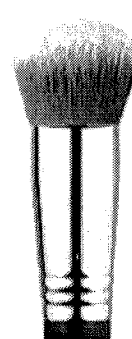
Sigma F80 Brush



K.T.B. F80 Brush



Sigma F82 Brush



K.T.B. F82 Brush

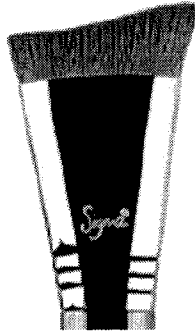
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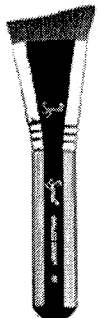



Sigma F57 Brush



K.T.B. F57 Brush

41. K.T.B., through this blatant copying of product names, descriptions, styles, colors and trademarks, has created the same look and feel for its products. The use of this look and feel by Defendants is likely to cause confusion among ordinary consumers as to the source, sponsorship, affiliation, or approval of the brushes. Below is one example:

Sigma Product	K.T.B. Product
 <p>F57 - EMPHASIZE CONTOUR™ BRUSH PRODUCT CODE: F57 ★★★★★ 4.9 (9) Write a Review Ask a Question</p> <p>\$27.00</p> <p>QUANTITY <input type="text" value="1"/> <input type="button" value="ADD TO BAG"/></p> <p><input type="button" value="ADD TO WISHLIST"/></p> <p>FREE Two Year Warranty on Brushes!</p> <p>The F57 Emphasize Contour™ Brush is curved to fit under the cheekbone with the trademarked highlight. Bristles designed for contouring. Apply cream and powder contouring products with precision just under the cheekbone for a defined contour.</p> <p>Unique Feature: Curved to fit under the cheekbone. Function: Contouring. Recommended Use: Contour the cheekbone with cream or powder products in one stroke.</p> <p>Benefits:</p> <ul style="list-style-type: none"> • Easy to use and perfect for contouring • Durable design • No sharp edges or points 	 <p>HOME BROWSE CONTACT ABOUT FAQ</p> <p>F57 - CONTOUR BRUSH</p> <p>\$16.00</p> <p>The F57 Emphasize Contour Brush is curved to fit under the cheekbone, uniquely cut for contouring. Apply cream and powder contouring products with precision just under the cheekbone for a defined contour.</p> <p>• Cruelty Free</p> <p><input type="button" value="ADD TO CART"/></p> <p>Category: INDIVIDUAL BRUSHES</p> <p>Facebook Twitter Instagram Pinterest YouTube Google+</p> <p>DESCRIPTION REVIEWS</p> <p>Unique Feature: Curved to fit under the cheekbone. Function: Easy contouring. Recommended Use: Contour the cheekbone with cream or powder products in one stroke.</p>

SIGMA'S '060 PATENT AND PATENTED PRODUCTS

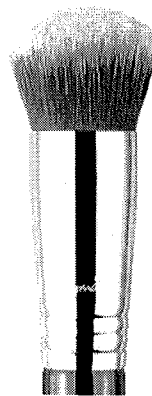
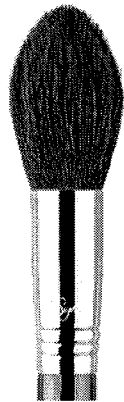
42. Sigma's two founders, Rene Xavier Filho and Simone Rodrigues Oliveira Xavier, invented an ornamental design for a cosmetic brush ferrule and filed a patent application for their invention on January 14, 2013. The application

1 eventually issued as the United States Patent No. D718,060 patent on November
2 25, 2014. A true and correct copy of the '060 patent is attached as Exhibit B.

3 43. Sigma is the assignee and sole owner of the '060 patent.

4 44. The '060 patent is valid, enforceable, and currently in full force and
5 effect.

6 45. Sigma markets numerous products that contain the patented three-line
7 ferrule design. Two of Sigma's products that use this design are depicted here:



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16 Sigma F25 Brush

Sigma F82 Brush

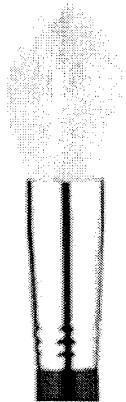
17 46. These designs are covered by the '060 patent, which discloses and
18 claims the ornamental cosmetic brush ferrule as shown and described, *e.g.*, in
19 Figure 2 of the Sigma '060 patent:



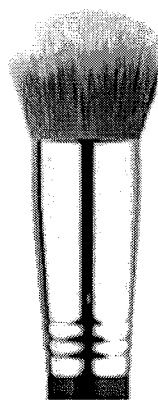
20
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28 FIG 2

///

47. K.T.B. makes, uses, sells, offers for sale, and/or imports for sale in the United States cosmetic brushes featuring the patented three-line ferrule design. K.T.B.'s infringing product is a copy of Sigma's patented products. Below are photographs of infringing products:



K.T.B. F25 Brush



K.T.B. F82 Brush

48. Any ordinary observer can immediately recognize from these images, giving such attention as a purchaser usually gives, the K.T.B. brushes have appropriate substantially the same patented three-line ferrule design, and K.T.B. is clearly infringing the Sigma '060 patent.

49. Specifically, at least the following products made, sold, offered for sale, and/or imported by Defendants include a cosmetic brush ferrule design that infringes the '060 patent: F82 ROUND KABUKI Brush and F25 TAPERED FACE Brush.

50. The infringing products are available by K.T.B.'s website to customers throughout the United States, including customers in this district.

51. The infringing products infringe the '060 patent, as described more fully below.

DEFENDANTS' WILLFUL CONDUCT

52. Defendants willfully infringed Sigma's patent and trademark rights.

53. Defendants had actual notice of Sigma's patent and trademark rights.

1 Sigma has no adequate remedy at law for Defendants' wrongful conduct.

2 66. Sigma has been and will continue to be damaged, and Defendants have
3 been unjustly enriched, by Defendants' unlawful infringement of Sigma's
4 copyrighted product descriptions in an amount to be determined at trial.

5 67. Alternatively, Sigma is entitled to statutory damages under 17 U.S.C. §
6 504(c), which damages, for the reasons set forth above, should be enhanced in
7 accordance with 17 U.S.C. § 504(c).

8 68. Sigma is also entitled to recover its attorney's fees and costs pursuant
9 to 17 U.S.C. § 505.

10 **COUNT 2**
FEDERAL TRADEMARK INFRINGEMENT
(Lanham Act § 32, 15 U.S.C. § 1114)

11
12 69. Sigma restates and incorporates by reference paragraphs 1-68 of this
13 Complaint.

14 70. Sigma owns valid trademark rights in the SIGMATECH Mark, as
15 registered with the USPTO.

16 71. Defendants' use of the term "SIGMATECH" to describe the fibers of
17 K.T.B. cosmetic brushes on the K.T.B. website constitutes use in commerce of a
18 reproduction, counterfeit, copy, or colorable imitation of Sigma's federally
19 registered trademark in connection with the sale, offering for sale, distribution and
20 advertising of goods in violation of 15 U.S.C. § 1114.

21 72. Defendants use in commerce of a reproduction, counterfeit, copy, or
22 colorable imitation of Sigma's federally registered SIGMATECH trademark on or
23 in connection with K.T.B.'s cosmetic brushes is likely to cause confusion, to cause
24 mistake, or to deceive.

25 73. Defendants' acts have been willful, with full knowledge and in
26 conscious disregard of Sigma's rights in its mark and with the intent to trade off
27 Sigma's vast goodwill in its registered SIGMATECH mark. Defendants were
28 notified of their infringement but nevertheless willfully and intentionally continued

1 to use the SIGMATECH mark.

2 74. The intentional nature of Defendants' acts makes this an exceptional
3 case under Section 35(a) of the Lanham Act, 15 U.S.C. § 1117(a), entitling Sigma
4 to treble damages and attorney fees.

5 75. As a result of the foregoing actions of Defendants, Defendants have
6 been unjustly enriched and Sigma has been injured and damages. Unless the
7 foregoing alleged actions of Defendants are enjoined, Sigma will continue to suffer
8 irreparable injury and damage.

9 **COUNT 3**
10 **FEDERAL UNFAIR COMPETITION, FALSE DESIGNATION OF ORIGIN,**
11 **USE OF UNREGISTERED TRADEMARK AND TRADE DRESS**
(Lanham Act § 43, 15 U.S.C. § 1125(a))

12 76. Sigma restates and incorporates by reference paragraphs 1-75 of this
13 Complaint.

14 77. Sigma's unregistered trademarks SigmaAlloy, F84 Angled Kabuki,
15 F80 Flat Kabuki, F82 Round Kabuki, F88 Flat Angled Kabuki, P80 Flat Precision,
16 P80 Precision Flat, F57 Emphasize Contour, F23 Soft Angled Contour, E06
17 Winged Liner, F04 Extreme Structure Contour, and F03 High Cheekbone
18 Highlighter, are inherently distinctive or have acquired a secondary meaning
19 associated with Sigma.

20 78. Defendants unauthorized use of the names SigmaAlloy, F84 Angled
21 Kabuki, F80 Flat Kabuki, F82 Round Kabuki, F88 Flat Angled Kabuki, P80 Flat
22 Precision, P80 Precision Flat, F57 Emphasize Contour, F23 Soft Angled Contour,
23 E06 Winged Liner, F04 Extreme Structure Contour, and F03 High Cheekbone
24 Highlighter, as well as Defendants' unauthorized use of Sigma's trade dress, for
25 K.T.B.'s cosmetic brushes falsely indicates that Sigma or its agents are connected
26 with, sponsored, endorsed, authorized, or affiliated with K.T.B., or that K.T.B. is
27 connected with, sponsored, endorsed, authorized, approved by, or affiliated with
28 Sigma.

1 79. Defendants use of the names SigmaAlloy, F84 Angled Kabuki, F80
2 Flat Kabuki, F82 Round Kabuki, F88 Flat Angled Kabuki, P80 Flat Precision, P80
3 Precision Flat, F57 Emphasize Contour, F23 Soft Angled Contour, E06 Winged
4 Liner, F04 Extreme Structure Contour, and F03 High Cheekbone Highlighter, as
5 well as Defendants' unauthorized use of Sigma's trade dress, for K.T.B.'s cosmetic
6 brushes is likely to cause, and/or has caused, confusion, mistake, or deception as to
7 the source or affiliation of K.T.B.'s goods.

8 80. Defendants' unauthorized use of the names SigmaAlloy, F84 Angled
9 Kabuki, F80 Flat Kabuki, F82 Round Kabuki, F88 Flat Angled Kabuki, P80 Flat
10 Precision, P80 Precision Flat, F57 Emphasize Contour, F23 Soft Angled Contour,
11 E06 Winged Liner, F04 Extreme Structure Contour, and F03 High Cheekbone
12 Highlighter, as well as Defendants' unauthorized use of Sigma's trade dress, for
13 K.T.B.'s cosmetic brushes allows Defendants to receive the benefit of Sigma's
14 goodwill, which Sigma has established at great labor and expense, and further
15 allows Defendants to gain acceptance of their goods and services, not based on its
16 own quality, but on the reputation, investment, hard work, and goodwill of Sigma.

17 81. The acts of Defendants constitute willful unfair competition, false
18 designation of origin, trademark infringement, and trade dress infringement in
19 violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

20 82. The intentional nature of Defendants' acts makes this an exceptional
21 case under Section 35(a) of the Lanham Act, 15 U.S.C. § 1117(a), entitling Sigma
22 to treble damages and attorney fees.

23 83. As a result of the foregoing actions of Defendants, Defendants have
24 been unjustly enriched and Sigma has been injured and damaged. Unless the
25 foregoing alleged actions of Defendants are enjoined, Sigma will continue to suffer
26 irreparable injury and damage.

27 ///

28 ///

COUNT 4
PATENT INFRINGEMENT OF '060 PATENT

84. Sigma restates and incorporates by reference the allegations in paragraphs 1-83.

85. Sigma is the assignee and sole owner of the '060 patent.

86. Defendants have infringed and continue to infringe the claim of the '060 patent by making, using, offering to sell, selling, and/or importing for sale (directly or through intermediaries), in this District and elsewhere in the United States, brushes with the patented three-line ferrule design.

87. Sigma did not give Defendants authorization or license to make, use, offer to sell, or sell the infringing product.

88. Sigma marked its brushes with the number of the '060 patent (see Exs. A & C) and Defendants nevertheless copied the marked products. Moreover, Defendants received notice of their infringement by letters from Sigma dated January 25, March 2, March 30, and April 18, 2017. Therefore, Defendants had knowledge of the '060 patent, yet willfully infringed and continue to willfully infringe the '060 patent.

89. Defendants have actively induced infringement of the claim of the '060 patent. Defendants have knowingly and intentionally instructed and encouraged K.T.B. customers to use the infringing product.

90. Defendants' infringement of the '060 patent has caused and will continue to cause damage to Sigma. Defendants' infringing acts have also caused and will continue to cause irreparable harm to Sigma for which there is no adequate remedy at law unless enjoined.

COUNT 5
**VIOLATION OF THE UNFAIR COMPETITION LAW,
California Business and Professions Code §17200, et. seq.**

91. Sigma restates and incorporates by reference paragraphs 1-90 of this Complaint.

93. In engaging in the conduct alleged more fully hereinabove, Defendants have engaged in unlawful, unfair, and/or fraudulent business acts and practices in violation of California Business & Professions Code Section 17200, et seq., including, but not limited to, misappropriation of Sigma's advertising methods, style of doing business and intellectual property.

95. By reason of the foregoing and as a direct, foreseeable, and proximate result of Defendants' acts as alleged hereinabove, Sigma has suffered and continues to suffer damages. Sigma seeks and is entitled to remedies available under California Business and Professions Code Section 17200, et. seq., including, but not limited to, injunctive relief and disgorgement of profits, revenues, and compensation or other payments obtained by way of the unlawful business practices alleged herein.

19 JURY DEMAND

22 | **PRAYER FOR RELIEF**

- 24 A. In favor of Sigma and against K.T.B. and Mr. Sanchez on all of
25 Sigma's claims;
- 26 B. Awarding Sigma a money judgment, including but not limited to
27 compensatory and statutory damages as permitted by law, with
28 the precise amount to be proven at trial;

- 1 C. Preliminarily and permanently enjoining Defendants and each of
2 their respective officers, agents, servants, employees, and
3 attorneys from further infringing the '060 patent;
- 4 D. Preliminarily and permanently enjoining Defendants and each of
5 their respective officers, agents, servants, employees, and
6 attorneys from using Sigma's trademarks or trade dress;
- 7 E. Preliminarily and permanently enjoining Defendants and each of
8 their respective officers, agents, servants, employees, and
9 attorneys any of Sigma's copyrighted works, or any colorable
10 imitations thereof, on or in connection with the design,
11 manufacture, importation, advertisement, promotion, marketing,
12 sale, or other distribution of cosmetic brushes or any other
13 goods;
- 14 F. Awarding Sigma damages for patent infringement in an amount
15 to be determined, including enhanced damages for willful
16 infringement, together with pre- and post-judgment interest;
- 17 G. Awarding Sigma trebled damages, costs, and attorneys' fees in
18 this action under 15 U.S.C. § 1117;
- 19 H. Awarding Sigma its costs and attorneys' fees in this action
20 under 17 U.S.C. § 505, 35 U.S.C. § 285, and/or applicable state
21 law;
- 22 I. Awarding Sigma its taxable costs and expenses; and

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1 J. Awarding Sigma such other and further relief as the Court finds
2 just and appropriate.

3 Dated: June 21, 2017

DORSEY & WHITNEY LLP

5 By: /s/ Lynnda A. McGlinn
6 Lynnda A. McGlinn (SBN 161756)

7 Shannon L. Bjorklund (*pro hac vice*
8 pending)

9 *Attorneys for Plaintiff*